

REMARKS

I. INTRODUCTION

Claims 1-24 are pending in the present application. No new matter has been added. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable.

II. THE 35 U.S.C. §103(a) REJECTIONS SHOULD BE WITHDRAWN

Claims 1-5, 7, 11, 14, 16-20 and 23-24 have been rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,331,817 to Goldberg (hereinafter "Goldberg") in view of U.S. Patent No. 5,218,344 to Ricketts (hereinafter "Ricketts"). (See Office Action of January 21, 2005, page 3).

Goldberg discloses a system which utilizes a transceiver to track personal property tagged with trackable electronic devices. (*Goldberg*, Abstract). In *Goldberg*, an organizer queries a set of tagged objects upon a pre-programmed event (e.g., leaving a home, entering a car). (*Id.* at col. 3, line 37 - col. 4, line 13). The query determines a presence of the object within a predefined range of the organizer. (*Id.* at col. 4, lines 22 - 24). If a response to the query is not received, the organizer notifies a user that the non-responding object is missing. (*Id.* at col. 4, lines 24 - 30).

Ricketts discloses a system for electronically monitoring location and identity of individuals from a remote station. (*Ricketts*, col. 1, lines 6-10). In operation, a central computer receives a signal from a paging transmitter within a wrist unit worn by an individual. (*Id.* at col. 9, lines 7 - 26). The computer analyzes the signal to determine a location of the individual and compares the location with an acceptable location stored in a memory. (*Id.* at col. 9, lines 27-

29). If the location corresponds with the acceptable location, the location is recorded and the computer continues processing normally. (*Id.* at col. 9, lines 32-37). If the location does not correspond to the acceptable location, the computer provides a visual and/or audible alarm and makes a permanent record of the event. (*Id.* at col. 9, lines 37-41).

Claim 1 recites a system for tracking portable devices including “*when the reply identifier data does not match the stored identifier data, the portable device control system provides an indication that the portable device is unregistered.*” The system of the present invention receives reply identifier data from the devices. When the reply identifier data (e.g., a unique identification number (“UIN”) associated with the device) does not match the stored identifier data (e.g., one UIN on a database of registered UINs), a control computer indicates that the device is not registered, for example, at a facility. (*Specification*, ¶ [0013]). Because the device is not registered, “the control computer 24 does not need to activate the alert system 14 and the employee with the device 16 may exit the facility 1.” (*Id.* at ¶ [0013]). Alternatively, the alert system may be activated in response to the unregistered device present in the facility. (*Id.* at ¶ [0014]). In either embodiment, the device is deemed unregistered if the reply identifier data does not match the stored identifier data.

As the Examiner has correctly recognized, Goldberg fails to disclose or suggest “when the reply identifier data matches the stored identifier data the status information corresponding to the portable device is updated on the memory and, when the reply identifier data does not match the stored identifier data, the portable device control system provides an indication that the portable device is unregistered,” as recited in claim 1. (Office Action, page 4).

It is respectfully submitted that Ricketts does not cure the above-described deficiencies of Goldberg. Specifically, Ricketts does not disclose or suggest “when the reply identifier data does not match the stored identifier data, the portable device control system provides an indication *that the portable device is unregistered,*” as recited in claim 1. In Ricketts, a computer receives a data signal from each of a plurality of wrist units worn by

individuals within an enclosed area (e.g., a prison). Each data signal is analyzed to determine an identity and a location of an individual wearing the wrist unit to ensure that he or she is within an acceptable location. This process is repeated for each wrist unit in the facility until a full count is obtained. (*Ricketts*, col. 9, lines 27-31). If the wearer is not within the acceptable location, the computer makes a record of the event. (*Id.* at col. 9, lines 33-41). Each wrist unit is associated with an identified person and corresponding acceptable location(s) stored on the computer. After the full count, every wrist unit, and the location thereof, is known to the computer. Specifically, Ricketts states that this comparison is performed only “[a]fter the computer system has counted and determined the location of each user....” (*Id.* at col. 9, lines 33-34). Because every wrist unit is known and counted, the computer never provides “an indication that the portable device is unregistered,” as recited in claim 1. Ricketts does not include any disclosure that contemplates how to deal with an unregistered wrist unit. Furthermore, as noted above, each data signal is analyzed by the computer to determine *an identity and a location of an individual wearing the wrist unit*. (Emphasis Added). Thus, the computer in Ricketts provides an indication that *an individual* associated with a wrist unit is in an unacceptable location and does not, as the Examiner has suggested, “provide an indication that the portable device is unregistered,” as recited in claim 1.

Applicants respectfully submit that neither Goldberg nor Ricketts, either alone or in combination, discloses or suggests “when the reply identifier data does not match the stored identifier data, the portable device control system provides an indication that the portable device is unregistered” as recited in claim 1. Because claims 2-4, 5 and 11 depend from, and, therefore include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable.

Claim 14 recites substantially similar limitations to claim 1 including, “when the reply identifier data does not match the stored identifier data, the portable device control system provides an indication that the portable device is unregistered.” Thus, it is respectfully submitted that claim 14 is allowable for the same reasons as stated above with reference to claim 1.

Because claims 16-20 and 23-24 depend from, and, therefore include all of the limitations of claim 14, it is respectfully submitted that these claims are also allowable.

Claims 8-10 and 21-22 have been rejected under 35 U.S.C. §103(a) as unpatentable over Goldberg in view of Ricketts and in further view of U.S. Patent No. 5,801,618 to Jenkins ("Jenkins"). (Office Action, pages 9 and 13).

Applicants respectfully submit that Jenkins does not cure the above-described deficiencies of Goldberg and Ricketts. Because claims 8-10 and 21-22 depend from, and, therefore include all of the limitations of claims 1 and 14, respectively, it is respectfully submitted that these claims are also allowable for the reasons stated above.

Claims 6 and 13 have been rejected under 35 U.S.C. §103(a) as unpatentable over Goldberg in view of Ricketts and in further view of U.S. Patent No. 5,664,113 to Worger et al. ("Worger"). (Office Action, page 11).

Applicants respectfully submit that Worger does not cure the above-described deficiencies of Goldberg and Ricketts. Because claims 6 and 13 depend from, and, therefore include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable for the reasons stated above.

Claims 12 and 15 have been rejected under 35 U.S.C. §103(a) as unpatentable over Goldberg in view of Ricketts and further in view of U.S. Patent No. 5,686,902 to Reis et al. ("Reis"). (Office Action, pages 14 - 15).


Applicants respectfully submit that Reis does not cure the above-described deficiencies of Goldberg and Ricketts. Because claims 12 and 15 depend from, and, therefore include all of the limitations of claims 1 and 14, respectively, it is respectfully submitted that these claims are also allowable for the reasons stated above.

CONCLUSION

In light of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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